



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB 02-728-B 400.120)

In re the Application of: McSwiggen, et al. )  
Serial No: 10/607,933 ) Group Art Unit: 1645  
Filed: June 27, 2003 ) Examiner: TBA  
For: RNA Interference Mediated Inhibition )  
of Alzheimer's Disease Using Short Interfering )  
Nucleic Acid (siNA) )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir/Madam:

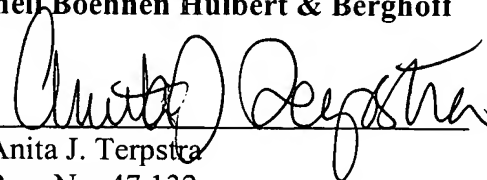
The undersigned representative hereby declares that the content of the substitute electronic copies of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2), in lieu of the paper copy under 37 C.F.R. § 1.821(c), and substitute computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. §§ 1.825(b) and 1.821(e), are identical in content. The substitute sequence listing, submitted herewith, does not extend beyond the scope of the specification, and thus, does not contain new matter. The CD-R labeled "Substitute CRF of Sequence Listing submitted under 37 C.F.R. §§ 1.825(b) and 1.821(e)" contains an IBM compatible dos-text file of the sequence listing named "MBHB02-728-B 400.120 SequenceListing.ST25".

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Dated: January 15, 2004

By:

  
Anita J. Terpstra  
Reg. No. 47,132



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(Case No.: MBHB02-728-B(400/120))**

<b>In the Application of:</b>	)	
	)	
<b>McSwiggen, et al</b>	)	<b>Art Group: 1645</b>
	)	
<b>Serial No.: 10/607,933</b>	)	
	)	<b>Examiner: Not assigned</b>
<b>Filed: June 27, 2003</b>	)	
	)	
<b>For: RNA Interference Mediated Treatment</b>	)	
<b>Of Alzheimer's Disease Using Short</b>	)	
<b>Interfering Nucleic Acid (siNA)</b>	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

1. The Compact Disc contained herein ("MBHB02-728-B 400.120 Sequence Listing") submitted under 37 C.F.R. § 1.52(e):

- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file "MBHB02-728-B 400.120 SequenceListing.ST25" which is 197 KB in size and was created on 01/14/04.

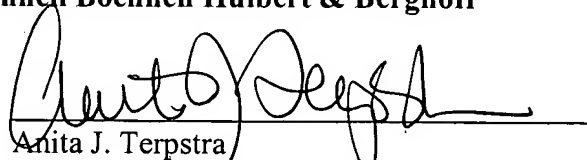
2. Statement under 37 C.F.R. § 1.821(f): The undersigned certifies that the original CD-R submitted herein, titled "MBHB02-728-B 400.120 Sequence Listing.ST25" (COPY 1) and the copy CD-R entitled "MBHB02-728-B 400.120 Sequence Listing.ST25" (COPY 2) are identical in content as required by C.F.R. § 1.52(e)(4).

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Dated: January 15, 2004

By:

  
Anita J. Terpstra  
Reg. No. 47,132

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